

REMARKS

Claims 1-10 were originally filed. In a Preliminary Amendment filed July 7, 2004, Claims 5-7 and 9-10 were canceled. In the Restriction Requirement mailed January 11, 2006, the Examiner restricted Claims 1-4 and 8 into the following three groups:

- I. Claim 1-3, drawn to a method of identifying an individual predisposed to early rejection of kidney allograft;
- II. Claim 4, drawn to nucleic acid; and
- III. Claim 8, drawn to a method of treating a patient predisposed to an early kidney allograft rejection.

Restriction Requirement, page 2. The Applicants herein elect, without traverse, to prosecute the claims of Group I. The Applicants also herein cancel Claims 3, 4 and 8 in order to further their business interests and the prosecution of the present application while preserving the right to prosecute the canceled (or similar) claims in the future.

The Examiner further states, "Additionally, group I and III named above is subject to further restriction. Furthermore, for group I applicant is required to pick a primer or combination of primers (SEQ ID No. 1-6) that is associated with the chosen allele. This is not an election of species." Restriction Requirement, page 5. The canceling of Claim 3 renders this further restriction moot.

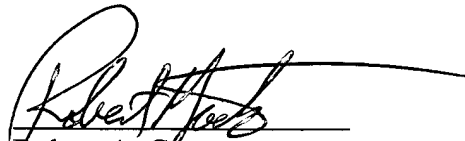
The Applicants now provide new Claims 11-16. New Claims 11-16 do not constitute new matter. Support for new Claims 11-13 is located in the Specification at, for example, in Example 1. Support for new Claims 14-16 is located in the Specification at, for example, page 6, line 12 through page 10, line 28.

CONCLUSION

As such, Claims 1-2 and 11-16 are pending and under examination following entry of Applicants' response to the outstanding Restriction requirement. Should the Examiner believe that a telephone interview would aid in the prosecution of this application Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: _____

2/13/06


Robert A. Goetz
Registration No. 55,210

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608.218.6900